

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff and,  
Counter Defendant,

Case No. 3:23-cv-355-wmc

v.

TOWN OF LAC DU FLAMBEAU,

Defendant and  
Counter Claimant,

and

GORDON ANDERSON et al.,

Intervenor Defendants and  
Intervenor Counter Claimants.

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**JOINT MOTION TO SET STATUS CONFERENCE**

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Plaintiff and Counter Defendant United States of America (“United States”),  
Defendant and Counter Claimant Town of Lac du Flambeau (“Town”), and Intervenor  
Defendants and Intervenor Counter Claimants Gordon Anderson et al. (“Anderson”)  
(together, the “Parties”) respectfully request that the Court set a Status Conference for  
the purpose of discussing the current scheduling deadlines in this action and the

possibility of modifying those deadlines. As grounds in support of this Joint Motion, the Parties state the following:

1. The Parties have been engaged in discovery for several months. Since July 12, 2024, the United States has been producing materials responsive to the Town's and Anderson's respective requests for production of documents.

2. Although the United States will have produced more than 4,900 documents (exclusive of the United States' Fed. R. Civ. P. 26(a)(2) expert-witness disclosures) by the end of this week, a large amount – approximately 60,000 documents – of electronically stored information in the form of email messages and Microsoft Teams “chats” remains to be reviewed and produced, to the extent those materials are relevant and not privileged.

3. In addition, the United States is in the process of digitizing 58 boxes of paper historical records archived at the American Indian Records Repository (“AIRR”) in Lenexa, Kansas, that have been identified as potentially responsive to the Town's and Anderson's requests for production of documents.

4. The Parties are in the process of negotiating search parameters that they expect will enable the United States to significantly expedite the review and production of relevant, non-privileged materials.

5. Given the above, the Parties cannot meet the current deadline in this case for filing dispositive motions – August 30, 2024 – given the large amount of potentially responsive material the United States must still review and produce, while ensuring that the Town and Anderson have sufficient time to review all of the material produced.

6. Trial in this action is currently set for February 10, 2025. The Parties are concerned with this trial date for the same reasons.

WHEREFORE, the Parties respectfully request that the Court set a Status Conference as soon as possible for the purpose of discussing scheduling and timing in light of the circumstances described above.

DATED: August 8, 2024

Respectfully submitted,

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